

FILE



November 23, 2009

Public Utility Commission of Ohio  
180 East Broad St  
Columbus, OH 43215

Case No:09-1048-EL-AGG

PUCO

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## MEMO

Re: Protective Order Filing

We are hereby re-filing the PROTECTIVE ORDER for Case No: 09-1048-EL-AGG.

Respectfully Submitted,

Spence Faxon, President  
Energy Alliances, Inc.

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**BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO**

IN THE MATTER OF THE APPLICATION )  
OF ENERGY ALLIANCES, INC. FOR )  
CERTIFICATION AS A COMPETITIVE )  
RETAIL ELECTRIC BROKER/ )  
AGGREGATOR )

) **CASE NO. 09-1048-EL-AGG**  
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**MOTION FOR PROTECTIVE ORDER**

Pursuant to O.A.C. § 4901-1-24(D), Energy Alliances, Inc. moves for a protective order to prevent public disclosure of the confidential and proprietary financial information included as Exhibits C-3, C-5, C-6, and C-7 of Energy Alliances, Inc.'s Certification Application for Aggregators/Power Brokers. This motion is accompanied by the attached Memorandum in Support.

Respectfully submitted,



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## **MEMORANDUM IN SUPPORT OF MOTION FOR PROTECTIVE ORDER**

### **BACKGROUND**

Energy Alliances, Inc. has submitted a Certification Application for Aggregators/Power Brokers in the State of Ohio. As part of that Application, Energy Alliances, Inc. is required to provide audited financial statements and a credit report via Exhibits C-3, C-5, C-6, and C-7. Energy Alliances, Inc., an Ohio Corporation, is a privately held company and is not required to file financial information with the United States Securities and Exchange Commission, and does not otherwise disclose financial information to the public.


### **THE NEED FOR A PROTECTIVE ORDER**

Exhibits C-3, C-5, C-6, and C-7 contain sensitive financial information, and the disclosure of such information to the general public or competitors would be extremely detrimental to Energy Alliances, Inc. Due to the sensitive nature of this confidential and proprietary information, it is appropriate for the Commission to limit access to the information. The exhibits should be used solely by the Commission in exercising its governmental functions in considering Energy Alliances, Inc.'s Application. There is no legitimate purpose or public interest to be served in disclosing the confidential exhibits to any of Energy Alliances, Inc.'s current or future competitors, or to any person other than the appropriate staff of the Commission.

Accordingly, Energy Alliances, Inc. respectfully requests that the Commission grant a Protective Order allowing Exhibits C-3, C-5, C-6, and C-7 of the Application be treated as confidential, thereby protecting the information contained in those documents from public disclosure.

**CONCLUSION**

For the foregoing reasons, Energy Alliances, Inc. respectfully requests that its Motion for Protective Order be granted.



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